



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF NEW MARLBOROUGH
OFFICE OF THE BOARD OF SELECTMEN
807 Mill River Southfield Road, Mill River, MA 01244-0099
Phone: 413-229-8116 Fax: 413-229-6674
E-mail: nmbos@newmarlboroughma.gov**

**Nathaniel H. Yohalem, Chair
Tara B. White
Michele Shalaby
Board of Selectmen**

**Minutes of Board of Selectmen's Meeting
Monday, December 12, 2016
6:00 p.m.**

Board Members Present: Nathaniel H. Yohalem, Chair (by telephone)
Tara B. White
Michele Shalaby

Others Present: Mari Enoch, Town Administrator
Sharon Fleck, Administrative Secretary
Marsha Pshenishny
Patricia Hardyman, Planning Board (by telephone)
Jamie Mullen, Planning Board
Mark Carson, Planning Board
Tom Stalker
Sandra Walker

The meeting of the Board of Selectmen convened at 6:00 p.m. The minutes of November 14 and November 21 Regular Meeting and Executive Session were approved as amended. The minutes of the November 28 meetings were held until the December 19, 2016 meeting.

A motion was made, seconded and so voted by roll call to have Nathaniel Yohalem participate via telephone due to geographic reasons.

Tara B. White	Aye
Michele Shalaby	Aye

Classification Hearing

Assessor's Clerk, Marsha Pshenishny presented the Board with a FY17 Preliminary Recap and a tax rate for FY17 of \$9.80. Marsha also stated there is excess capacity of \$46,980.98 and new growth totals \$31,519.00 in taxes. The total taxable value of the Town is \$493,385,410 which is \$8,200,790 more than the previous year. Michele requested that Marsha provide the Selectmen with a breakdown of the additional value, detailing the increases from new growth and additional value picked up in the triennial revaluation

A motion was made, seconded and so voted to have one single tax classification for FY17.

Planning Board Solar Bylaw

A motion was made, seconded and so voted by roll call to have Patricia Hardyman, Planning Board Chair, participate via telephone due to geographic reasons:

Nathaniel Yohalem	Aye
Tara B. White	Aye
Michele Shalaby	Aye

The Planning Board is exploring the need for a bylaw regulating solar photovoltaic installation and would like direction from the Board of Selectmen. Jamie Mullen advised the Board that a single entity has approach the Planning Board regarding installation of a solar project in the Town. A "Questions, Issues and Options" sheet was given to the Board outlining potential areas addressed by a bylaw.

Jamie Mullen stated that the Board of Selectmen can create a moratorium on new solar projects for one year, with an extension of an additional six months until a bylaw is formulated by the Planning Board and passed at a Town Meeting. The moratorium can be written to allow current projects to continue during this time. Counsel, Jeremia Pollard, will be contacted regarding sample moratorium language that might be used. Jamie acknowledged that there are residential solar panels being erected in town now, and that "by right" panels can be mounted on a roof or can be mounted on the ground, via a Special Permit from the Town.

Jamie and Patricia further stated they will apply for a Technical Assistance Grant from the Berkshire Regional Planning Board to assist with writing the bylaw. It was agreed that if a bylaw for wind power was proposed, it should be a separate bylaw.

The Board of Selectmen agreed that the Planning Board should continue to pursue and develop a bylaw for solar power.

Snow and Ice Removal

A motion was made, seconded and so voted to award the contract for snow and ice removal to Keith Wilkinson at \$75.00 per hour for a one ton pickup with a 9 foot plow. (Tara White abstained from the vote)

TOWN ADMINISTRATOR UPDATES

Rt. 57

There are five towns (New Marlborough, Monterey, Tolland, Granville and Sandisfield) interested in continuing a conversation with the State to take over the construction costs for RT 57. Selectman, Tara White felt that all five towns should act together in making a

presentation to the State. She will contact Francesca Heming (MassDOT) to begin these discussions

SELECTMEN'S UPDATES

Broadband

Selectman, Michele Shalaby, set a meeting with Paul Nicholai, Counsel, on December 20 to discuss negotiating points with Frontier Communications. Michele also stated that the other three neighboring towns (Tolland, Monterey and Sandisfield) would like New Marlborough to be part of an RFP regarding using a Municipal Lighting Plant rather than Town procurement. Michele will attend a meeting in Sandisfield on December 14 to discuss that issue. Although the Town does not need to commit to this agreement at this time, a commitment is needed by December 23. Nat cautioned, however, that this arrangement should only come about as a result of breakdown of negotiations with Frontier Communications.

Arbor Day

The New Marlborough Historical Society hosted a work day on October 26 during which area tree companies donated time and equipment to remove a tree from the village green and perform extensive tree work in the New Marlborough Cemetery. Mari will contact Joe Poindexter to get more details.

Public Comments

Sandra Walker expressed her concern that minutes of the Planning Board meeting are not posted in a timely fashion and asked if "drafts" were ever posted. She was told that "drafts" did not get posted.

Tom Stalker asked for clarification on Robert Miller's appointment to the Fire Department and was told it was necessary for a Finance Committee member to be part of the Emergency Services Fund (ESF), not the Fire Department.

Being that there was no further business to be brought before the Board, a motion was made, seconded and so voted by all members to adjourn the meeting at 7:20 p.m.

Respectfully submitted,

Sharon Fleck
Administrative Secretary